1

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF TEXAS **BROWNSVILLE DIVISION**

United States District Court Southern District of Te-FILED

AUG 3 0 2004

CHERYL GRAY and	§	Michael N. Milby
HAROLD GRAY, husband and wife	§	Clerk of Court
	§	

VS.

WYETH; AND WYETH PHARMACEUTICALS, INC.; BARR

PHARMACEUTICALS, INC.; BRISTOL-MYERS SOUIBB; GREENSTONE LTD.: PHARMACIA & UPJOHN COMPANY: PFIZER INC.; SOLVAY

PHARMACEUTICALS INC.; WARNER-

CHILCOTT

C.A. No. B-04-116

UNOPPOSED MOTION FOR ENLARGEMENT OF TIME TO ANSWER, MOVE OR OTHERWISE PLEAD

TO THE HONORABLE JUDGE OF SAID COURT:

NOW COMES Defendant Barr Pharmaceuticals, Inc., ("Barr") and respectfully moves for an open enlargement of time to answer, move, or otherwise plead to the Complaint filed by the Plaintiffs in the above-captioned action.

Barr expects that this case will be transferred to the Eastern District of Arkansas to be heard with other consolidated actions in the In re Prempro Products Liability Litigation, MDL-1507, pending before the Honorable William Wilson. Counsel for Barr has conferred with Plaintiffs' national counsel, James A. Morris, Jr., Provost & Umphrey Law Firm, L.L.P., regarding this motion. Plaintiffs have no objection and consent to this motion for an open extension of time for Barr to move, answer, or otherwise plead to Plaintiffs' Complaint herein.

WHEREFORE, Defendant Barr respectfully requests that this Court grant them an open extension of time to answer, move, or otherwise plead to Plaintiffs' Complaint herein.

Respectfully submitted,

KAREN F. STALLINGS

State Bar No. 06801580 600 Travis, Suite 3400

Houston, TX 77002

(713) 226-1161

(713) 223-3717 (fax)

ATTORNEY-IN-CHARGE FOR DEFENDANT BARR PHARMACEUTICALS, INC.

OF COUNSEL:

John M. Holland State Bar No. 24041112 LOCKE LIDDELL & SAPP LLP 600 Travis, Suite 3400 Houston, TX 77002 (713) 226-1200 (713) 223-3717 (fax)

Joseph P. Thomas Matthew Brammer **ULMER & BERNE LLP** 600 Vine Street, Suite 2800 Cincinnati, OH 45202 (513) 762-6200 (513) 762-6245 (fax)

CERTIFICATE OF CONFERENCE

I hereby certify that I have conferred with Plaintiffs' counsel in regards to the subject matter of this motion and the motion is unopposed. Defense counsel are likewise unopposed to this motion.

Karen F. Stallings

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document has been sent via messenger, certified mail, return receipt requested, and/or first-class mail, on this 25th day of August, 2004, to all known counsel of record.

James A. Morris, Jr.
Provost & Umphrey Law Firm, L.L.P.
P.O. Box 4905
Beaumont, TX 77704

Jack F. Walker Sammons & Parker 218 North College Tyler, TX 75702

Barclay A. Manley Fulbright & Jaworski LLP 1301 McKinney, Suite 5100 Houston, TX 77010 Joseph S. Cohen Beirne, Maynard & Parsons, LLP 1300 Post Oak Blvd., 25th Floor Houston, TX 77056

Robert Schick Vinson & Elkins, LLP 1001 Fannin St., Suite 2300 Houston, TX 77002

Dawn Shawger Sedgwick, Detert, Moran & Arnold LLP 1717 Main Street, Suite 5400 Dallas, TX 75201

Karen F. Stallings